

A regular meeting of the Town Board of the Town of Moreau was held on January 10, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins called the meeting to order at 7:00 p.m.

The Town Clerk called the roll.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Bob Prendergast	Councilman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent

Gina LeClair	Councilwoman
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Also Present: Jeanne Fleury, Town Clerk; Nancy Ryan, Transfer Station Clerk; Paul Joseph, Highway Superintendent; Steve Gram, Recreation Director; Karla Buettner, Attorney for the Town; Town Residents: John Dickinson, James & Donna Merrithew, Huguette Delvaux, Helen Glen, Betty Wimette; and Reed Antis, Planning Board Alternate Member and Town Resident; and Elizabeth Lanfear, Recreation Commission Member and Town Resident

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked everyone to turn off or put on vibrate all electronic communication devices.

MINUTES

The following minutes were prepared and distributed to the Town Board in advance of the meeting for their review, comment, correction and approval:

December 27, 2011 (2 Sets) and January 3, 2012

MINUTES – DECEMBER 27, 2011 – MONTH-END AUDIT MEETING 6:30 P.M.

No comments or corrections.

MINUTES – DECEMBER 27, 2011 – REGULAR TOWN BOARD MEETING 7:30 P.M.

No comments or corrections.

MINUTES – JANUARY 3, 2012 – ORGANIZATIONAL MEETING

The Town Clerk noted the following changes that needed to be made:

Under Appointments:

The name of Cynthia **Carpenter** needs to be changed to Cynthia **Charpentier**.

The name of **Denis** Jones needs to be changed to **Denise** Jones.

Ed Tracy has to be added as Laborer Rec. Temporary On-Call As Needed @ \$8.85 per hour

John Dixon has to be added as Assistant Water Superintendent @ \$17.16 per hour

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Councilman Kusnierz asked if the title of Security was also added to Ed Tracy's title and the Town Clerk replied no, only laborer rec. temporary on-call as needed.

Supervisor Jenkins said that the title of Security hasn't been given to any rec. individual.

Councilman Kusnierz stated that he thought that Ed Tracy went down south for the winter and he questioned if he would be available to work when needed.

Steve Gram said he wouldn't need Ed Tracy to work until summer and he will be available then.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to approve the amendments to the minutes of January 3rd.

Roll call vote resulted as follows:

Councilman Kusnierz	No
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Supervisor Jenkins	Yes

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast to approve both sets of minutes dated December 27th as prepared.

Roll call vote resulted as follows:

Councilman Vittengl	Abstain
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to approve the minutes of January 3rd with corrections so noted.

Roll call vote resulted as follows:

Councilman Prendergast	Abstain
Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

MEETINGS/WORKSHOPS SCHEDULED

Supervisor Jenkins said he would like to set a special meeting of the Town Board so the Town Board could authorize him to sign a contract with the Moreau Emergency Squad and to interview three engineering firms in executive session for the purpose of discussing their proposals that they submitted regarding the new municipal complex.

A special meeting of the Town Board was scheduled for January 17, 2012 at 7:00 p.m. in Town Hall.

A regular meeting of the Town Board of the Town of Moreau was held on January 10, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

15 MINUTE PUBLIC COMMENT PERIOD

Huguette Delvaux asked about the new contract that the board had talked about drafting and submitting to the Moreau Emergency Squad.

Supervisor Jenkins advised Huguette Delvaux that one has been drafted and received by the Moreau Emergency Squad. He also advised that he was going to ask the Town Board at the special meeting on January 17th to give him authorization to sign one of the two contracts, whichever one the Moreau Emergency Squad wanted to sign.

Huguette Delvaux said that she realizes that the board wants more information from the squad, but that the squad has been giving the board all the information that pertains to the taxpayer's dollars.

Supervisor Jenkins stated that he accepts what Huguette Delvaux said, but her statement is not entirely correct. He stated that there is other information that he wants to see (he mentioned the banquets) and there are other issues to look at and discuss, but apparently the squad doesn't want to.

Huguette Delvaux commended the squad for not releasing the information and protecting confidentiality.

Supervisor Jenkins explained to Huguette Delvaux that he wouldn't be looking at patient information or any information protected under the law.

Elizabeth Lanfear asked Supervisor Jenkins if he has asked the Fire Company for their donation records.

Supervisor Jenkins said he had not.

Elizabeth Lanfear asked about the Moreau Community Center.

Supervisor Jenkins said he planned a review of their records including payroll and quarterly reports.

Elizabeth Lanfear asked if this would include monies above and beyond what the Town gives them and Supervisor Jenkins replied yes.

Elizabeth Lanfear said that the disclosure of donation information is troubling to her as she doesn't feel it is the Town's business to know how much a person donated.

Helen Glen asked if the board was interested in seeing the accounting of the money from the Town of Northumberland to the squad and Supervisor Jenkins replied yes.

John Dickinson stated that as a taxpayer he doesn't understand why the squad has a problem opening up their books. He said that anything that can be done to lower his taxes should be done and the taxpayer's money supports the squad.

Councilman Kusnierz replied "partially".

Supervisor Jenkins stated that the Town is not required by law to give them any money, but he wants to see the squad stay in business.

HIGHWAY DEPARTMENT REQUESTS

The highway superintendent submitted a request to purchase rock salt/bulk ice control from International Salt in the amount of \$70,000.00 under county contract #11-PWS-10R out of account DB5142.490 that had a balance as of 1/1/12 of \$153,000.00.

A regular meeting of the Town Board of the Town of Moreau was held on January 10, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz stated that the \$70,000.00 was almost 50% of the budget for salt. He said the board meets twice a month and asked Paul Joseph why he needed to buy so much at one time.

Paul Joseph said he was asking for a blanket purchase order for salt in this amount. He wants the salt on hand in case of storms. If the weather holds up like it has been then this amount would last him until the end of the year.

Councilman Kusnierz mentioned how past highway superintendents have purchased materials or exceeded budgeted amounts without Town Board approval. One way to prevent this from happening and for the Town Board to keep a handle on this is for the highway superintendent to come to the board monthly with his requests for purchases rather than asking for a blanket purchase order.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of rock salt/bulk ice control from International Salt at a cost not to exceed \$70,000.00 under county contract #11-PWS-10R out of account DB5142.490.

Roll call vote resulted as follows:

Councilwoman LeClair	Absent
Councilman Kusnierz	No
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

The highway superintendent requested approval to engage the services of Morrissey Construction to excavate and place two holding tanks at the new highway garage site at a cost of \$1,080.00 out of account HH1620.2 (the capital project fund for the highway garage) that had a balance as of 1/1/12 of \$658,142.26. He obtained the following quotes:

Charles Friedman Excavating, Inc.	\$1,800.00
Clear Enterprises	\$2,300.00
Morrissey Construction, Inc.	\$1,080.00

There was brief discussion on this.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to accept the quote from Morrissey Construction in the amount of \$1,080.00 out of account HH1620.2 for the excavation and placement of two holding tanks at the new highway garage site.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Supervisor Jenkins	Yes

The highway superintendent submitted a memo to the Town Board advising the board members that he would be advertising for bids on a used Gradall. The specifications will be available through his office. There is \$68,000.00 allocated for this purchase in the 2012 budget. The 1995 Gradall will be traded in.

A motion was made by Councilman Kusnierz and seconded by Councilman Vittengl authorizing the highway superintendent to go out for bid on a used Gradall.

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Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

At a previous meeting the highway superintendent submitted a request to purchase four rear drive tires for truck #6 from Adirondack Tire at a cost of \$1,173.16. That request was tabled, because Councilman Kusnierz obtained a price of \$1,167.80 from Warren Tire. It was also tabled because the highway superintendent did not present three quotes at that meeting.

The highway superintendent submitted a memo to the Town Board dated December 30th indicating that he called Warren Tire and they initially quoted him a price of \$25.00 per tire for dismounting & mounting and Warren Tire does not give a credit for the casings. They charge to keep them. There are new prices off state contract so Warren Tire allowed an extra \$1.34 per tire and lowered their mounting/dismounting fee to \$20.00 per tire. Even with this pricing change, they are still higher than Adirondack Tire due to the fact that Adirondack Tire is going to allow a credit of \$20.00 per tire for the old casings. This credit will be applied to our account for future purchases.

The highway superintendent submitted the following three quotes:

Adirondack Tire	Four Tires	\$1,077.36
	Dismount & Mount	\$ 80.00
	Metal Valve Stems	<u>\$ 15.80</u>
	Total Cost	<u>\$1,173.16</u>

A credit of \$20.00 per casing will be given upon inspection and approval, towards future purchases.

Warren Tire	Four Tires	\$1,072.00
	Dismount & Mount	\$ 80.00
	Metal Valve Stems	<u>\$ 15.80</u>
	Total Cost	<u>\$1,167.80</u>

GCR Tire Center	Four Tires	\$1,202.96
	Dismount & Mount	\$ 100.00
	Metal Valve Stems	\$ 24.00
	Cost to Scrap Old Tires	<u>\$ 32.00</u>
	Total Cost	<u>\$1,358.96</u>

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of four (4) rear wheel drive tires for truck #6 at the highway department from Adirondack Tire Center at a cost not to exceed \$1,173.16 out of account DB5130.492 that had a balance as of 12/2/11 of \$18,825.05.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

A regular meeting of the Town Board of the Town of Moreau was held on January 10, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

RECREATION DEPARTMENT REQUESTS

Steve Gram reported that the Recreation Commission would like either 48" x 36" or 48" x 60" survey maps, topography maps and USGS maps drawn up of the Harry J. Betar Jr. Recreational Park, the beach area, the Town's property on Route 197 and the riverfront park across from Irving Tissue. They need these maps so they can begin drafting a five year plan for the Town's recreation areas.

Supervisor Jenkins stated that the Town already has a survey/topographical maps of the Route 197 property and as far as the beach area is concerned, that is owned by the Village of South Glens Falls. The Town leases it from the Village. He will check with the Village and find out if they have any maps on file of the beach area.

Steve Gram reported that Dan Styczynski the President of Pop Warner Football attended the Recreation Commission Meeting on January 9th and expressed his concern over Pop Warner losing their Charter, because the number of participants are down. Pop Warner would like to take over the Town of Moreau Recreation Flag Football Program.

Supervisor Jenkins asked how many participants there are in the Town's flag football program and Steve Gram replied 60 last year and 45 this year.

Councilman Kusnierz asked how many teams there are and Steve Gram replied four last year and three this year.

Councilman Kusnierz asked what the charge would be and Steve Gram replied that the Town charges \$20.00 per child and Pop Warner would charge \$40.00 per child.

Councilman Kusnierz said he would have a problem with Pop Warner charging \$40.00 per child. If the charge stayed at \$20.00 per child he wouldn't have a problem with it.

Steve Gram said his concern was over the traveling that would be required in order to play.

Elizabeth Lanfear said she expressed concerns over the traveling also and she would rather they keep the fee at \$20.00 per child. However, Dan Styczynski told the commission that Pop Warner offers scholarships to those who can't afford to pay the registration fee and in some instances the fee could be waived to those who qualify. What sold her on the proposal was the fact that if Pop Warner loses their Charter then the program will go belly up.

Supervisor Jenkins asked Steve Gram to survey the parents of those who participate in the flag football program now and see how they feel about the cost and the traveling. He asked Steve Gram to provide this information to the board before the next meeting on January 24th.

Elizabeth Lanfear advised the Town Board that the Recreation Commission voted to support the appointment of Andy Laing as a permanent member of the Recreation Commission rather than an alternate and they would like the Town Board to consider this appointment.

Supervisor Jenkins said that he would put this on the agenda for the January 24th Town Board Meeting.

WATER DEPARTMENT REQUESTS

None

Agenda items number 6, 7 and 10 were brought up for discussion by Supervisor Jenkins all at one time.

A regular meeting of the Town Board of the Town of Moreau was held on January 10, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins stated that the stone dust and rubble and no. 3 binder and no. 6 top for the salt shed was needed and the board had said that any items to be paid for out of the capital project fund have to be approved for by the Town Board. He said he would think that there could be some very small exceptions made to our policy, but this was a rather large sum of money.

Paul Joseph stated that the stone dust was for the floor of the main garage. The contractor was there working and TMG said they needed stone as soon as possible as they were going to pour on Monday and this was on a Thursday. The blacktop was for the salt shed and he was under the assumption that it was all included in the capital project price. He apologized for that. He said that they had talked about getting blacktop at board meetings and how the plants were closing.

Supervisor Jenkins said he understood that, but they have a schedule of change orders and this wasn't on it. He said he realizes that it had to be done. He said the board just wanted a little more detail.

Paul Joseph told Supervisor Jenkins that he skipped over agenda item number 6, which was the Gorman Bros. invoice that was over by \$23.50 from the purchase order. Paul Joseph said that the increase was due to the escalation change and it was out of his control. It was actually \$234.00 and he called them on it and they reduced the price, but it was still over \$23.50. It was for nova chipping.

Councilman Prendergast asked if they were dealing with agenda item number 6 or 7.

Paul Joseph stated that Supervisor Jenkins jumped to number 7 and Supervisor Jenkins said it was all one set of information.

Supervisor Jenkins then referred to agenda item number 10, which was the approval of the MS4 Annual Report for 2010 that was prepared by Garry Robinson in the amount of \$2,925.00.

Supervisor Jenkins stated that in the minutes it shows that the board approved \$18,000.00 to do all the set up and recordkeeping.

Paul Joseph stated that was something Joe Patricke had ordered.

Supervisor Jenkins said he was aware of that, but it is something that was overlooked.

Councilman Kusnierz said he thought that when they approved the amount for engineering he assumed it included the compilation of the report.

Supervisor Jenkins said whoever said to go ahead and do the report the Town Board should have dealt with it first. He said that Garry Robinson has already been approved for engineering at \$75.00 per hour, but it shouldn't have happened this way and the Town Board should have had a price first.

Councilman Kusnierz asked how much it cost the Town to file the 2009 report.

The answer to this question was unknown.

Councilman Kusnierz said that once the program was up and running it should be easy to throw numbers in subsequent reports. That is why he was wondering if this price is more, less or the same as last time.

Supervisor Jenkins stated that the report would be about the same every year. He couldn't prepare the reports without putting together the recordkeeping functions that we are doing now.

Supervisor Jenkins asked for a motion authorizing the \$1,448.60 for the stone dust/rubble for the main garage floor.

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A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast authorizing the purchase of stone dust/rubble for the floor of the main garage from Peckham Materials Corp. at a cost not to exceed \$1,448.60 out of account HH1620.2.

Roll call vote resulted as follows:

Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

Supervisor Jenkins asked for a motion authorizing the \$5,196.20 for the no. 3 binder and no. 6 top for the salt shed floor.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of no. 3 binder and no. 6 top for the salt shed floor from Pompa Bros. Inc. at a cost not to exceed \$5,196.20 out of account HH1620.2.

Roll call vote resulted as follows:

Councilman Kusnierz	No
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Supervisor Jenkins	Yes

Councilman Kusnierz voted no, because if you have plans for a house drawn up showing twenty windows you would assume that the contractor would put the windows in. We had plans drawn up for the salt shed and he assumed that the floor would have been included in the total cost of the project.

Supervisor Jenkins said he understood Councilman Kusnierz's position, but the building was put up by a contractor and we did the other work ourselves, because it was cheaper.

Supervisor Jenkins said the next item was the approval of the invoice from Gorman Bros., which was \$23.50 over the purchase order amount.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz authorizing the additional amount of \$23.50 per the Gorman Bros. invoice #31624R dated 12/7/11.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

Supervisor Jenkins stated that the other item was the MS4 Annual Report for 2010 prepared by Garry Robinson at a cost of \$2,925.00 that would be paid out of account B8540.4. He said the \$18,000.00 that was paid was an accounts payable from December 31, 2010.

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A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the payment of \$2,925.00 to Garry Robinson, Engineer, for the preparation of the MS4 Annual Report for 2010 out of account B8540.4.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Councilman Kusnierz	Abstain
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

Councilman Kusnierz abstained from the vote, because he couldn't take a position on this without knowing what we paid last year.

CHANGE ORDER FOR HIGHWAY GARAGE

Supervisor Jenkins stated that there is a request from the highway department for a change order for the new highway garage for an air line drop to be installed. He said it wasn't in the original design, because Paul Joseph just decided where he wanted it installed.

Councilman Kusnierz questioned why the amount wouldn't have been built into the contract knowing that one was going to be needed.

Paul Joseph said that where the air line drop was originally supposed to be installed was completely out of the ordinary. To change the location will require more piping.

Councilman Kusnierz asked if it was too far away from the compressor.

Paul Joseph said yes. They had most of them planned for the outside walls. In the middle there is nothing. There would have had to have been hoses all over the floor.

Supervisor Jenkins stated that the amount of the change order is \$679.78 and \$494.48 of this is for labor.

Councilman Kusnierz asked Paul Joseph if his staff could install the airdrop.

Paul Joseph said they would have to rent a lift, because everything is tied to the ceiling trusses and brought over and down the wall. He said they may have been able to, but it depends on whether or not they leave an end to tie into. He has asked the contractor to put a tee or cap on all the dead ends so that in the future they can tie into them if they have to. He said right now there are four lifts in there that are being used by the contractors.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing a change in the proposal for the new highway garage that authorizes Crisafulli Bros. Plumbing & Heating Contractors to install one (1) air line drop in the new highway garage at a cost not to exceed \$679.78.

Roll call vote resulted as follows:

Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

A regular meeting of the Town Board of the Town of Moreau was held on January 10, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

2012 INTERNATIONAL TANDEM DUMP TRUCK WITH PLOW – RESOLUTION TO CORRECT AMOUNT IN MINUTES FROM \$217,097.10 TO \$234,482.20

Supervisor Jenkins stated that the board approved an annual lease payment on this truck of \$47,377.88 with a total cost not to exceed \$217,097.10, which is impossible mathematically. He said the interest rate went down a little so the actual annual lease payment is \$46,896.44 for five years for a total cost not to exceed \$234,482.40. He said he needs a resolution to approve this change.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz approving the annual lease payments for five years on the 2012 International Tandem Truck with Dump and Plow in the amount of \$46,896.44 for a total cost not to exceed \$234,482.40.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Supervisor Jenkins	Yes

SEWER RATES

Supervisor Jenkins stated that at the last meeting he gave the board information on sewer rates that were prepared by Tim Burley, Engineer. The recommendation is \$260.00 per EDU that would be billed on January 1st of each year, which is basically the operation and maintenance cost, etc... that we pay the City of Glens Falls. The recommended rate to hook into the sewer system to pay for existing infrastructure that we have is \$1,750.00 per EDU. That was based on an estimate of \$3.5 million to complete the infrastructure from Exit 17 to Bluebird Road and Fort Edward Road and they estimated about 2,000 EDU's that would hook into that sewer line and that is how Tim Burley came up with the \$1,750.00. He said we already have a rate for capacity/buy-in that was approved about 2 ½ years ago in the amount of \$805.00 per EDU. He was now asking the board to approve the rate of \$260.00 per EDU and \$1,750.00 per EDU to hook up to the sewer system.

Councilman Kusnierz asked if that figure was going to include future capacity and operation and maintenance.

Supervisor Jenkins said the \$1,750.00 was to recover the cost of capital and the \$260.00 annual rate was for maintenance use of the facility. He said the only thing we had before was the \$805.00 to cover capacity with the City of Glens Falls that was approved back in 2010, because of the Schermerhorn Project. Right now Schermerhorn hasn't paid for any use, because we haven't had a rate. Schermerhorn already knew what range the rates were going to be in. If these rates are approved, then the Town can bill Schermerhorn for his past and current use.

Councilman Kusnierz asked if the figure that the engineer came up with will be the figure that we will use should we have opportunity to get sewer down Route 9, and it will pay for, in theory, construction of that project if everybody along Route 9 came on board.

Supervisor Jenkins said yes. He said that we already have one organization that is going to install an eight inch line from Schermerhorn's pumping station to Sisson Road. They know what the cost is and that isn't an issue. They are still trying to finalize a contractual agreement that we can use. Essentially we would allow them to earn their money back at a very low rate of interest, but we wouldn't be at any risk. There is another hook up that may be coming, but the rates may be different.

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Councilman Kusnierz asked if the \$1,750.00 is for the theoretical tie-in.

Supervisor Jenkins said the \$1,750.00 is for construction. The goal would be to end up building it for this and the people who do this can recover their investment. It could work very well with what we have on Route 9. It may take time or it could happen very fast.

Councilman Kusnierz asked why these rates are so low. He said they are about one-half of the rates for water tie-ins for someone outside the system.

Supervisor Jenkins said the water rates are about \$1,700.00 and the Town Clerk said she thought they were \$3,100.00.

Supervisor Jenkins said these proposed rates are \$1,750.00 plus \$805.00.

Councilman Kusnierz asked if shouldn't they be pretty similar.

Supervisor Jenkins said not necessarily, because what we have in infrastructure for water is more than what we have in sewer. He also noted that in the rate of \$3,100.00 there is a rate of about \$1,700.00 for capacity buy-in with the Town of Queensbury. Our buy-in for water is a lot more expensive than our buy-in for sewer. He said that the other \$1,400.00 that is in the \$3,100.00 rate is for hook up and the developers do that themselves and the only amount they pay is the \$1,700.00.

Supervisor Jenkins asked for a motion and second to approve these rates, because we have some people coming on that we need to get bills to.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adopt the following sewer rates:

\$260.00 per EDU for O&M to be billed on January 1st each year
\$1,750.00 per EDU for Hook Up

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

APPROVE DUANE MILLER, ASSISTANT BUILDING INSPECTOR, TO ATTEND TRAINING SESSION

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast authorizing Duane Miller, Assistant Building Inspector/Code Enforcement Officer, to attend a Code Enforcement Basic Training Course on January 24-26, 2012 in Rensselaer County and for all necessary mileage and meals to be a proper town charge.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Councilman Vittengl	Yes

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Supervisor Jenkins Yes

Councilman Kusnierz asked that department heads include in their requests to attend training the cost to the Town.

APPROVE JOE PATRICKE, BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER, TO ATTEND TRAINING

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing Joe Patricke, Building Inspector/Code Enforcement Officer, to attend an educational conference sponsored by the Northern Adirondack Code Enforcement Officials Association in Lake Placid, New York, on March 5th through March 8th, 2012 in order to fulfill his entire requirement of 24 annual service credit hours as mandated by the State of New York to maintain his certification as Building Inspector/Code Enforcement Officer, at a cost not to exceed \$539.97 plus reimbursement of all necessary and proper mileage and meals.

Roll call vote resulted as follows:

Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

ACCEPT LETTER OF RESIGNATION FROM BOB VITTENGL FROM RECREATION COMMISSION

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to accept a letter of resignation from Robert J. Vittengl, Jr. from the Recreation Commission.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Abstain
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Supervisor Jenkins	Yes

Councilman Prendergast and Supervisor Jenkins thanked Bob Vittengl for his service on the Recreation Commission.

TOWN CLERK'S REQUEST

The Town Clerk submitted a request to sign an agreement with Business Automations Systems (BAS) in the amount of \$293.65 per year for off-site, on-line, back up of her data files. The storing of a copy of the Town Clerk's data off-site would provide an added layer of protection to the files in the event of a catastrophic failure of the hard drive in her office that stores the data and the data could be restored from the off-site copy if need be.

Councilman Prendergast said it makes a lot of sense to protect the data and he asked if money was budgeted for this and the Town Clerk said yes, actually a lot more than what the proposed cost is. The money budgeted was for the next tier up of service and BAS has told her that she only needs the Tier 2 service.

A regular meeting of the Town Board of the Town of Moreau was held on January 10, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Prendergast said he had to ask about the security of sensitive data. He asked if there was something to ensure confidentiality of the records.

Attorney Buettner said there would be some sort of agreement with BAS to ensure the confidentiality of the records.

The Town Clerk advised that she had not sent the agreement to Attorney Buettner for review, but she had provided a copy of the agreement to the members of the Town Board with her request. She said that it is the typical agreement whereby they don't put liability on themselves. She said the attorney for the Town could review it and make changes, but she doesn't know if BAS will accept the changes or not. She said the Town has encountered this problem before with agreements over the years and it has at times put a halt to what we want to do around here, because they are typical contracts that most vendors draft up.

Councilman Prendergast said he would have a problem with that.

Councilman Kusnierz referred to the proposed agreement and said it spells out what BAS will not disclose and that includes personal identifying information to third parties unless such disclosure is required or permitted by law or is reasonably necessary to comply with subpoenas, court orders or other legal process or at the request of government authorities. The agreement also reads in part: Intended to prevent or assist in the investigation of suspected fraud or other illegal activities or otherwise represents actions taken in connection with such activities and as otherwise provided for in the BAS terms service or privacy policy. He said there are some protections in the agreement.

Councilman Prendergast said that anytime information has been extracted illegally, the people holding the information will always tell you that it was protected. He reads it in the paper and he gets notices on it at work.

Supervisor Jenkins said Attorney Buettner can review the agreement and we can see what we can do.

The request was put on hold for now.

APPROVAL FOR ZONING/PLANNING/TOWN BOARD MEMBERS TO ATTEND ZONING/PLANNING CONFERENCE

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast authorizing any Town Board Member, Planning Board Member, Zoning Board Member and Duane Miller, Assistant Building Inspector/Code Enforcement Officer to attend a Planning/Zoning Conference on January 25th, 2012 in Saratoga Springs, New York, and for the registration fee of \$60.00 per person along with mileage to be a proper town charge.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis asked how many children participate in Pop Warner.

Steve Gram did not know the answer to this question.

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Reed Antis said it would be interesting to know what the number is.

Reed Antis said that there is a Recreation Commission, a Recreation Department and a Town Board. He said it seems to him that the Recreation Department has three heads. It also seems to him that the Recreation Department is slightly dysfunctional. It is running, but it should be a very important part of our Town and it doesn't seem to be running properly. The Recreation Commission takes a vote, it comes here and the Town Board tables it until the next meeting. It just seems like there is no continuity. There is no real strength in the department. The law that is in the books doesn't have many teeth. It was based on what was done twenty five years ago. Maybe the Town Board should look at our Recreation Department, see how it is run and try to improve it. It is an important part of our Town. A lot of our citizens are using it. People come here to talk and then to the Recreation Commission and a lot of times the Recreation Commission doesn't have a quorum.

Supervisor Jenkins said they may look into this. Maybe they can schedule a workshop for February and look at whether or not the Recreation Commission should be reduced to a committee level instead of a commission. The Town Board is going to make all the final decisions. When the law was formed the Recreation Commission did run the Recreation Park. It was a seasonal operation and things have changed.

Reed Antis said that Gavin Park in the Town of Wilton seems to be a premier Recreation Park in the area and maybe we can take their play book and use their template on how our Recreation Park can be run.

Elizabeth Lanfear stated that Dan Styczynski said at the Recreation Commission Meeting that Pop Warner had six teams with 20 kids on each team and when it went to a Town program the numbers went down.

COMMITTEE REPORTS

None

SUPERVISOR'S ITEMS

None

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the meeting at 8:15 p.m.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilwoman LeClair	Absent
Supervisor Jenkins	Yes

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk

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